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Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ting Tao, et al.

IMAGEABLE ELEMENT
COMPRISING SULFATED
POLYMERS


Serial No. US 10/736,078

Filed December 15, 2003

Group Art Unit: 1774

Examiner: Betelhem Shewareged

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.


Sheryl A. Payne

8/7/2006
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. 1.132

We, Ting Tao, Scott Beckley, John Kalamen, and Kevin Barry Ray do hereby state and declare that:

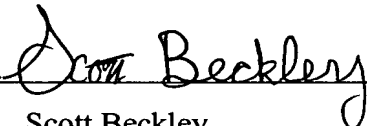
- 1) We are the co-inventors of the invention claimed and described in U.S. Patent Application U.S. Serial No. 10/615,358 (filed July 8, 2003), and published as U.S. Patent Application Publication 2005/0008965.
- 2) We are aware that some claims of the present application (10/736,078) have been rejected as anticipated by the disclosure of our previously filed U.S. Serial No. 10/615,358. Irrespective of the merits of that rejection, any aspect of the invention claimed in the present application that is considered by the Examiner to be disclosed but not claimed in our U.S. Serial No. 10/615,358 was derived from one or more of the Applicants of the present application, and is thus, not an invention "by another" as required by 35 U.S.C. 102(e).

3) All statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true. These statements are made with the knowledge that willful false statements so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and may jeopardize the validity of any patent issuing from the present application.

Date 6/30/06


Ting Tao

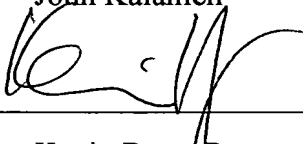
Date 6/22/06


Scott Beckley

Date 6-30-06


John Kalamen

Date 6/22/06


Kevin Barry Ray